

REMARKS

At the outset, Applicants thank the Examiner for the thorough review and consideration of the subject application. The Non-Final Office Action of October 22, 2003 has been received and its contents carefully reviewed.

Claims 1-23 remain pending in the present application, where the Applicants have amended claims 1, 2, 5, 6, 14, 16, 18, 21, and 23.

In the Office Action, the Examiner rejected claims 1-23 under 35 U.S.C. § 102(b) as allegedly being anticipated by Ouchi (U.S. Patent No. 6,597,713). This rejection is respectfully traversed and reconsideration is requested.

Applicants respectfully submit that claim 1 is allowable over Ouchi in that claim 1 recites a combination of elements including, for example “a vertical cavity surface emitting laser for producing a light beam along a light path; a semiconductive substrate having an etched cavity in said light path; and a light sensor on said semiconductive substrate and along said light path; wherein said vertical cavity surface emitting laser is attached to said semiconductive substrate.” Ouchi fails to teach, either expressly or inherently, at least these features as arranged in the claimed invention.

In rejecting independent claim 1, the Examiner stated that Figure 21 and 30 of Ouchi show an integrated VCSEL and power monitor assembly comprising “a VCSEL 21, an etched cavity Si substrate 160, a light sensor 283, an optical fiber 143; wherein the VCSEL is attached to the substrate.” Whether or not this is so, Applicants respectfully submit that Ouchi still fails to anticipate claim 1, as Figures 21 and 30 of Ouchi do not separately or together teach each and every feature of claim 1, including all of the structural relationships between the various features. For example, it is respectfully submitted that Ouchi fails to show a semiconductive substrate having an etched cavity along a light path of a vertical cavity surface emitting laser, wherein a light sensor is on the semiconductive substrate.

Independent claims 8 and 14 recite similar features. Accordingly, Applicants respectfully submit that independent claims 8 and 14 are patentable over Ouchi for at least the reasons presented above with respect to claim 1. In addition, and for the same reasons, 2-7, 9-13

and 15-23, which variously depend from claims 1, 8 and 14, are patentable over Ouchi. Consequently, the Applicants request that the Examiner withdraw the rejection of 1-23 under 35 U.S.C. § 102(b).

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

for

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